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May 3, 2006

VIA E-FILING AND HAND DELIVERY

The Honorable Joseph J. Farnan, Jr.
United States District Court
Federal Building
844 North King Street
Wilmington, DE 19801

Re: *Inline Connection v. Verizon*, C.A. No. 05-866-JJF;
Broadband Technology and Pie-Squared v. Verizon, C.A. No. 06-

Dear Judge Farnan:

The Court may recall that, in the recent briefing in *Inline v. Verizon*, C.A. No. 05-866, Verizon questioned Inline's ownership of the patents in suit at the time the complaint was filed and therefore whether Inline had standing to sue for patent infringement. Specifically, Verizon suggested that two companies, Broadband Technology Innovations ("BBTI") and Pie-Squared LLC, might be owners of the patents in suit.

Today, BBTI and Pie-Squared are filing a substantively identical complaint against Verizon for patent infringement.¹ While all three plaintiffs believe that Inline, as owner of the patents in suit, has standing to sue for acts of infringement in its own name and on its own behalf, and thus is a proper plaintiff standing alone, plaintiffs wish to ensure that this Court may without question properly entertain and determine the substantive claims against Verizon for infringement of the Inline patents, even if a court were ultimately to determine that Inline's original complaint lacked subject matter jurisdiction. Plaintiffs will be seeking consolidation of the new action with C.A. No. 05-866, subject to the existing orders in C.A. 05-866 on discovery

¹ The new complaint sues on the original four patents in C.A. 05-866 and adds a recently issued fifth patent which is related to the four Inline patents on which Inline sued. This patent is the patent to which we alerted the Court in Inline's motion to stay (C.A. No. 05-066, D.I. 81, p.5, n.9) and which we intend to add at an appropriate time to C.A. No. 05-866 by way of supplementation to the complaint.

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and staying the action, in the interests of efficiency and so that all proper parties with an interest in Verizon's ongoing acts of infringement of the Inline patents will be represented in a single action for patent infringement as to which there can be no doubt that this Court has subject matter jurisdiction.

Respectfully,

/s/ Mary B. Graham

Mary B. Graham

MBG/dam

cc: Clerk of the Court
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